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USPROTECT CORPORATION

UNITED STATES DISTRICT COURT

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

11 KONSTANTINOS MOSHOGLIANNIS,  
12 Plaintiff,  
13 v.  
14 USPROTECT CORPORATION,  
15 Defendant

CASE NO. C-07-5128 CRB

**NOTICE OF RELATED CASE  
[Civil Local Rule 3-12]**

17 | TO THE CLERK OF THE ABOVE-ENTITLED COURT

18 PLEASE TAKE NOTICE that Defendant USProtect Corporation hereby notifies the  
19 Court of a “related case” pursuant to Local Rule 3-12:

20       Defendant directs the Court's attention to a related proposed class-action case pending  
21 in this District involving the same defendant and nearly identical claims: *Swanson v. USProtect*  
22 *Corporation*, Northern District of California, San Jose Division, Case No. C-05-602-JF. That  
23 case asserts five causes of action: (1) unpaid wages and missed meal/rest periods; (2) failure to  
24 pay overtime, California Labor Code section 1194; (3) unjust enrichment; (4) violation of  
25 California Labor Code, section 2699 penalties, and (5) violation of unfair competition law,  
26 California Business and Professions Code section 17200, et seq. The case proposes a class  
27 including "all persons who currently are or ever have been employed by USProtect in  
28 California pursuant to a government contract at any time on or after August 17, 2000."

1 Plaintiff's Complaint in this case contains seven causes of action: (1) failure to pay  
2 overtime, California Labor Code §§ 510 and 1194; (2) continuing wages, California Labor  
3 Code § 203; (3) failure to provide accurate pay stubs, California Labor Code § 226; (4) failure  
4 to provide rest and meal breaks, California Labor Code § 226.7; (5) unfair business practices,  
5 California Business and Professions Code § 17200 *et seq.*; (6) failure to pay minimum wage,  
6 29 U.S.C. § 206; (7) failure to pay overtime, 29 U.S.C. § 207. Plaintiff herein proposes a class  
7 consisting of "all natural persons who were tendered paychecks by Defendant in the United  
8 States during the period beginning four years prior to the filing of this Complaint. Complaint, ¶  
9 21.

10 The central allegations in both cases, therefore, involve alleged failure to pay overtime  
11 and alleged failure to provide meal and rest breaks. In addition, the proposed class in the instant  
12 matter comprises all or substantially all of the putative class members in the *Swanson* matter.

13 DATED: October 16, 2007

EPSTEIN BECKER & GREEN, P.C.

14  
15 By: /s/ Matthew A. Goodin  
16 Steven R. Blackburn  
17 Matthew A. Goodin  
18 USPROTECT CORPORATION  
19 Attorneys for Defendant  
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